

For The Northern Mariana Islands
By _____
(Deputy Clerk)

4 Counsel for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

) CIVIL CASE NO. CV05-0025

7 WILLIAM KAIPAT as personal
representative of KIMITOSY
8 WILLY, deceased,
Plaintiff,

VS.

TATSUYA OIKE,

Defendant

ANSWER TO COMPLAINT

COMES NOW, Loren A. Sutton, by and for the Defendant,
15 Tatsuya Oike, and answers the Complaint, seriatim, as follows:

1. Admitted

2. Defendant has insufficient knowledge to form a belief as
to the truth or falsity of this allegation and it is therefore,
denied.

3. Admitted

4. Admitted

5. Admitted

ENTER

1 6. Admit that Defendant struck Kimitosy Willy and deny that
2 Defendant was intoxicated and speeding.

3 7. Admit that an ambulance was called and Willy was taken
4 to CHC where he later died. As to the rest of this allegation,
5 Defendant has insufficient knowledge to form a belief as to the
6 truth or falsity of the allegation and it is therefore denied.

7 8. Admitted that Defendant's scooter struck Willy, the rest
8 of this allegation is denied.

9 9. Denied.

10 10. Answers to allegations in paragraphs 1 through 9 are
11 hereby incorporated herein.

12 11. Admit that Willy died from severe injuries that
13 required the services of medical personnel, deny the rest of
14 this allegation.

15 12. Admit that decedent Willy suffered physical injury, deny
16 the rest of this allegation.

17 13. Denied

18 14. Denied

19 15. Denied

20 16. Answers to allegations in paragraphs 1 through 15 are
21 hereby incorporated herein.

22 17. Admitted.

23 18. Denied

24

25

1 19.Denied

2 20.Denied

3 21.Denied

4 22.Denied

5 FURTHER DEFENSES

6 A. Assumption of the Risk

7 B. Contributory Negligence and/or Comparative Negligence

8 (*Uniform Comparative Fault Act*-P.L. 12-26).


9 C. Negligence of Another.

10 D. Accord and Satisfaction.

11 Defendant reserves the right to add further defenses as may
12 be revealed as the result of discovery and does not waive his
13 right to do so.

14 Defendant prays that Plaintiff take nothing and that the
15 Court make such other rulings as are appropriate and just.

16 Respectfully submitted on this 2nd day of September 2005.

17
18 
19 Loren A. Sutton
20 Counsel for Defendant
Bar No. F0179

21 VERIFICATION

22 I, Tatsuya Oike, am the Defendant in this action. I have
23 read and understand the foregoing Answer to the Complaint
24
25

1 against me and hereby affirm and attest that the facts and
2 answers contained therein are true and correct to the best of my
3 knowledge and belief.

4
5 AUG-18, 2005
6 Dated

御池 達也
Tatsuya Oike, Defendant